

## **Administrative Appeal Application**

The City of Brookhaven Community Development Department accepts requests for Appeals of Administrative Decisions. These actions are heard at a Public Hearing by the City's Zoning Board of Appeals.

The Brookhaven Zoning Ordinance reads, in part: "The Zoning Board of Appeals shall have the power and duty to hear and decide appeals where it is alleged by the appellant that there is error in any final order, requirement, or decision made by an administrative official based on or made in the enforcement of the zoning ordinance. A failure to act shall not be construed to be an order, requirement or decision within the meaning of this division. All such appeals shall be heard and decided following the notice requirements of Section 27-917, and pursuant to the following criteria and procedural requirements:

- a) Appeals of decisions of administrative officials. Appeals may be filed by any person aggrieved by, or by any county official, department, board or agency affected by, any final order, requirement, or decision of an administrative official, based on or made in the enforcement of the zoning ordinance, by filing with the secretary of the board an application for appeal specifying the grounds thereof, within fifteen (15) days after the action appealed from was taken. A failure to act shall not be construed to be an order, requirement or decision within the meaning of this division. A person shall be considered aggrieved for purposes of this subsection only if:
  - 1) Said person or said person's property was the subject of the action appealed from; or
  - 2) Said person has a substantial interest in the action appealed from that is in danger of suffering special damage or injury not common to all property owners similarly situated."

Please send your application requesting an appeal hearing to the address below:

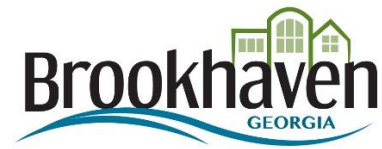
City of Brookhaven  
Community Development Department  
4362 Peachtree Road  
Brookhaven, GA 30319

Your request will be heard at the next available Zoning Board of Appeals hearing, in some cases up to 45 days from the date of filing. Following the consideration of all testimony, documentary evidence, and matters of record, the Board shall make a determination on each appeal.

If you need additional information, please contact the Planning and Zoning Department at (404) 637-0500.

## **Instructions for Filing an Application for an Appeal of an Administrative Decision and/or Interpretation of the Zoning Ordinance**

1. To qualify as an applicant for an appeal of an administrative decision and/or interpretation of the zoning ordinance, the applicant must constitute an aggrieved party to such adverse decision and/or interpretation.
2. The applicant must complete this application in full. This application will not be processed unless all information requested is provided.
3. In order to be considered by the Zoning Board of Appeals, applications must be filed with the Community Development Department, Planning Division within fifteen days after the date of the order, requirement, decision, or other determination of the officer from whom the appeal is taken. The appeal will be scheduled for the first Board meeting, which can be up to forty-five (45) days after the date the application is filed.
4. The Zoning Board of Appeals meets the third Wednesday of each month at 7:00 p.m. For additional information or assistance, call the Planning Department at (404) 637-0500.
5. Submit an electronic version of the entirety of your application submittal, saved as a single PDF.



## Administrative Appeal Application

Applicant Information	Name:	
	Address	
	Phone:	
	Email:	
Property Owner	Owner's Name:	
	Owner's Address:	
	Phone:	
	Email:	
Property in Question	The appeal is from the following adverse decision of an administrative officer:	
	This adverse decision was made with respect to property described as being located at:	
	Tax Parcel #	
	I request an interpretation of: <input type="checkbox"/> the zoning map <input type="checkbox"/> the following section(s) of the Zoning Ordinance:	
	Insofar as the map / ordinance (circle one) relate to the use of the property described above.	
	<b>Please use additional sheets of paper as necessary to be as complete and thorough as possible.</b>	
	<i>I certify that all the information presented by me in this application is accurate to the best of my knowledge, information, and belief.</i>	
Signature	Applicant's Name:	
	Applicant's Signature:	Date:
Notary	Sworn to and subscribed before me this                      Day of                      20	
	Notary Public:	
	Signature:	
	Date:	
Signature	Owner's Name:	
	Owner's Signature:	Date:
Notary	Sworn to and subscribed before me this                      Day of                      20	
	Notary Public:	
	Signature:	
	Date:	